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Attorney's Docket No. AIRFIBE.002A

DECLARATION - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **OPTICAL TRANSCEIVER DESIGN AND MECHANICAL FEATURES**; the specification of which is attached hereto;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional applications listed below.

Application No.: 60/204,361

Filing Date: May 16, 2000

Application No.: 60/212,038

Filing Date: June 16, 2000


Application No.: 60/242,220

Filing Date: October 20, 2000

The undersigned hereby authorizes and requests the attorneys of Knobbe, Martens, Olson & Bear, LLP, Customer No. 20,995 to insert the serial number for the above application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Scott Harris Bloom**

Inventor's signature 

Date 5-15-01

Residence: **319 Via Andalusia, Encinitas, CA 92024**

Citizenship: **U.S.**

Post Office Address: **319 Via Andalusia, Encinitas, CA 92024**

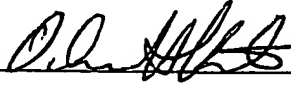
Full name of second inventor: **Oskar Hammer Kirsten**

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Attorney's Docket No. AIRFIBE.002A

Inventor's signature



Date

5/15/01

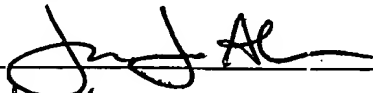
Residence: 5101 Middleton Road, San Diego, CA 92109

Citizenship: U.S.

Post Office Address: 5101 Middleton Road, San Diego, CA 92109

Full name of third inventor: James J. Alwan

Inventor's signature



Date

5/15/01

Residence: 15523 Wyeport Road, Ramona, CA 92065

Citizenship: U.S.

Post Office Address: 15523 Wyeport Road, Ramona, CA 92065

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

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AIRFIBE.002A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Scott Harris Bloom, Oskar Hammer)
Kirsten, James J. Alwan)
App. No. : Unknown)
Filed : Unknown)
For : OPTICAL TRANSCEIVER DESIGN)
AND MECHANICAL FEATURES)
Examiner : Unknown)

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventors to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, Customer No. 20,995, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and

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Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

AIRFIBER, INC.

Dated: 5/15/01

By: 

Name: JAMES DUNN

Title: CEO

Address: 16510 Via Esprillo
San Diego, CA 92127

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PATENT

Client Code: AIRFIBE.002A

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ASSIGNMENT

WHEREAS, We, Scott Harris Bloom, a U.S. citizen, residing at 319 Via Andalusia, Encinitas, CA 92024, Oskar Hammer Kirsten, a U.S. citizen, residing at 5101 Middleton Road, San Diego, CA 92109, James J. Alwan, a U.S. citizen, residing at 15523 Wyeport Road, Ramona, CA 92065, have invented certain new and useful improvements in a OPTICAL TRANSCEIVER DESIGN AND MECHANICAL FEATURES for which we have executed an application for Letters Patent in the United States,

AND WHEREAS, AIRFIBER, INC. (hereinafter "ASSIGNEE"), with its principal place of business at 16510 Via Esprillo, San Diego, CA 92127, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 15TH day of MAY, 2001.


Scott Harris Bloom

STATE OF

COUNTY OF

} ss.

On _____, before me, _____, personally appeared Scott Harris Bloom personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Notary Signature

COPY

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 15TH day of May, 2001.

Oskar Hammer Kirsten
Oskar Hammer Kirsten

STATE OF

COUNTY OF

ss.

On _____, before me, _____, personally appeared Scott Harris Bloom personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 15TH day of MAY, 2001.

James J. Alwan
James J. Alwan

STATE OF

COUNTY OF

ss.

On _____, before me, _____, personally appeared James J. Alwan personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Notary Signature

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COPY
- DO NOT RECORD -

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